appears, be sure to uncheck the

A0 399 Case 1:08-cv-00676 tati Document 17

TO:

Filed 04/15/2008

Page 1 of 3

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

Gregory E. Kulis

()	NAME OF PLAINTIFF'S ATTORNEY OR UN	NREPRESENTED PLAINTIFF)		
I, Inv. Ellis #248		, acknowledge receipt of your re	auest	
(I	DEFENDANT NAME)		quest	
that I waive service of summon	Rick Allen	v. Inv. Ellis #248 et al.		
1.1.		(CAPTION OF ACTION)		
which is case number	08-C-676	in the United States District C	in the United States District Court	
for the Northern District of Illin	(DOCKET NUMBER)			
I have also received a copy by which I can return the signed	y of the complaint in the action d waiver to you without cost to	n, two copies of this instrument, and a mome.	eans	
I agree to save the cost of by not requiring that I (or the e manner provided by Rule 4.	service of a summons and an acentity on whose behalf I am ac	dditional copy of the complaint in this law cting) be served with judicial process in	vsuit 1 the	
I (or the entity on whose be jurisdiction or venue of the cour of the summons.	half I am acting) will retain all texcept for objections based of	defenses or objections to the lawsuit or to on a defect in the summons or in the ser	o the	
I understand that a judgmen	nt may be entered against me (or the party on whose behalf I am actin	g) if	
an answer or motion under Rule	12 is not served upon you wit			
or within 90 days after that date	if the request was sent outsid	DATE REQUEST WAS SEN	(1)	
4/11/08	and request was sent outside	A chiled states.		
(DATE)	8	(SIGNATURE)	_	
Printed/Typed Nam	e: Sarah M.	Biele		
As Atterney	for Inv. E	IUS # 248		
		COM CHAIL DEFENDANT)		

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

TO.

10.	Gregory E. K		
, (N	AME OF PLAINTIFF'S ATTORNEY OR U	NREPRESENTED PLAINTIFF)	
I, Inv. Jones #454		acknowledge	o monoint of
	DEFENDANT NAME)	, acknowledg	e receipt of your request
that I waive service of summon	Rick Aller	n v. Inv. Ellis #248 e	et al.
water that to service of summon	s in the action of	(CAPTION OF ACTI	ON)
which is case number	08-C-676	in the Unite	ed States District Court
for the Northern District of Illin	(DÖCKET NUMBER)		
I have also received a copy by which I can return the signed	y of the complaint in the action waiver to you without cost	on, two copies of this is	nstrument, and a means
I agree to save the cost of by not requiring that I (or the e manner provided by Rule 4.	service of a summons and an a entity on whose behalf I am a	additional copy of the cacting) be served with	complaint in this lawsuit judicial process in the
I (or the entity on whose be jurisdiction or venue of the cour of the summons.	half I am acting) will retain all t except for objections based	defenses or objections on a defect in the sum	s to the lawsuit or to the mons or in the service
I understand that a judgmen	nt may be entered against me	(or the party on whos	e behalf I am acting) if
an answer or motion under Rule	12 is not served upon you w		
or within 90 days after that date	if the request was sent outsi	de the United States.	DATE REQUEST WAS SENT)
4/11/88	Inv. Jones#4		
Printed/Typed Nam	e:	(SYGNATURE)	
As Attroca	Se Inv. Jo	nes 4 459	NANCE
		THE DEFENI	ZALL I

Duty to Avoid Unnecessary Costs of Service of Summons

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A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS

Waiver of Service of Summons

ТО:	Gregory E. K		
(NA	ME OF PLAINTIFF'S ATTORNEY OR U	NREPRESENTED PLAINTIFF	7)
I, Inv. Smith #371	FENDANT NAME)	, acknowled	lge receipt of your request
that I waive service of summons	in the action of Rick Alle	n v. Inv. Ellis #248	
which is case number	08-C-676	in the Uni	ited States District Court
for the Northern District of Illine	ois.		
I have also received a copy by which I can return the signed	of the complaint in the actio	on, two copies of this to me.	instrument, and a means
I agree to save the cost of s by not requiring that I (or the er manner provided by Rule 4.	ervice of a summons and an antity on whose behalf I am a	additional copy of the acting) be served with	complaint in this lawsuit th judicial process in the
I (or the entity on whose beh jurisdiction or venue of the court of the summons.	alf I am acting) will retain all except for objections based	defenses or objection on a defect in the sur	ns to the lawsuit or to the mmons or in the service
I understand that a judgmen	t may be entered against me	(or the party on who	ose behalf I am acting) if
an answer or motion under Rule	12 is not served upon you w	ithin 60 days after	01/31/08
or within 90 days after that date in the state of the sta			(DATE REQUEST WAS SENT)
Printed/Typed Name	Sarah M. B.	reke	
As Attanly	fr. S	Smith # 3	H NDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

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